

OFFICE OF EXECUTIVE POLICY AND PROGRAMS POLITICAL ACTIVITY AND ETHICS

THE LANGUAGE USED IN THIS DOCUMENT DOES NOT CREATE AN EMPLOYMENT CONTRACT BETWEEN THE EMPLOYEE AND THE AGENCY. THIS DOCUMENT DOES NOT CREATE ANY CONTRACTUAL RIGHTS OR ENTITLEMENTS. THE AGENCY RESERVES THE RIGHT TO REVISE THE CONTENT OF THIS DOCUMENT, IN WHOLE OR IN PART. NO PROMISES OR ASSURANCES, WHETHER WRITTEN OR ORAL, WHICH ARE CONTRARY TO OR INCONSISTENT WITH THE TERMS .

I. Political Activity

The following provisions shall apply to all employees of the Governor's Office who are candidates for appointment or election to public office and who are not covered by the federal Hatch Act.

1.
Generally employees may engage in political activity as described above without reduction in salary and status when, in the judgment of the Deputy Chief of Staff for Administration, the individual can continue to effectively handle assigned duties. If these duties cannot be effectively handled, the employee may be required to take annual leave or leave of absence without pay or the employee may choose to resign.
2.
Employees who are in policy-making positions, law enforcement officers, or those who regularly are entrusted with confidential and/or legally privileged information about the Office must, however, either resign or be terminated from their employment position when they become a candidate for a partisan political office.
3.
Employees considering a political campaign should submit to the Deputy Chief of Staff for Administration a written notification outlining their intentions before filing.
4.
All political activities must be conducted during the employee's personal time. The Ethics and Reform Act of 1991 prohibits political campaigning or solicitation in state -owned buildings as well as use of state-owned equipment or materials.
5.
State employees who are paid in whole or in part by federal funds or whose jobs are related to an activity which receives federal funds, may be covered by provisions of the federal Hatch Act, which may prohibit political activity.

II. Ethics Act

State employees are subject to the provisions of the Ethics and Reform Act of 1991. In general state employees are prohibited from accepting:

1.
Lodging, transportation, entertainment, food, meals, beverages, money or any other thing of value, including an honorarium from a lobbyist.
2.
Anything of value to influence official activities.
3.
Lodging, transportation, entertainment, food, meals, beverages, money or any other thing of value as well as an invitation to a function paid by a lobbyist principal unless the entire membership of the agency's board or commission is invited or (b) all statewide constitutional officers are invited if they are employees of a statewide constitutional officer;
4.
Anything of value, including honorarium, for speaking in a official capacity before public or private groups.

State Employees may not:

1.
Solicit additional money for the conduct of their position.
2.
Use information which is confidential or not available to the public for personal benefit.
3.
Be employed by a regulatory agency that regulates a business they are associated with if there is a frequent or continuing conflict.
4.
Accept employment for one year from a regulated person if the employee was directly and substantially involved in the regulatory process.
5.
Resign from a position directly involved in the procurement process and accept employment with a person contracting with the agency if he had any responsibility for such procurement.
6.
Use government time, materials, personnel or equipment either for private purposes or in an election campaign, except for incidental use when there is no additional public expense.

7. Solicit contributions from subordinates or make employment decisions based on contributions.

(This is not an inclusive list.)

Revised 7/04